

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD
VIRTUAL ZOOM MEETING
MONDAY, APRIL 06, 2020
17:30 (05:30 PM)

CALL TO ORDER

The meeting was called to order by Chairman Steve Lichtenfeld at 17:30.

ROLL CALL

Chairman Steve Lichtenfeld, City Manager David Gipson, Aldermanic Representative Richard Lintz, Carolyn Gaidis, Robert Denlow, George Hettich, and Helen DiFate answered roll call.

ALSO IN ATTENDANCE

Stephanie Karr, City Attorney
Susan M. Istenes, AICP, Planning Director

APPROVAL OF MINUTES

CAROLYN GAIDIS – MOVE TO APPROVE THE MINUTES AS SUBMITTED.

RICHARD LINTZ – SECOND

BOARD UNANIMOUSLY APPROVES MARCH 02, 2020, MEETING MINUTES.

ALL BUSINESS

8155 STRATFORD DRIVE – ARCHITECTURAL REVIEW BOARD – EXTERIOR ALTERATION/RENOVATION

Director Susan M. Istenes summarizes the following staff report: “On February 05, 2018, the Architectural Review Board approved the plans for a new single-family home including a landscape plan. The previously approved landscape plan showed 16 existing Hornbeams and 3 Pin Oaks (street trees) to remain, and 3 Bradford Pears, noted to be in poor condition, to be removed. The plan also called for new plantings including a mix of 13 deciduous and evergreens trees with 53.8 percent being native. When the home was completed and a final inspection conducted, the inspector noted the newly installed landscaping was not planted in accordance with the approved landscape plan and the Bradford Pear trees remained on site.

The previously approved plan included 5 Dragon Lady Holly proposed to screen the trash enclosure, which were not planted. The previously approved landscape plan had a colorful mixture of trees and shrubs with Sugar maples, Weeping Japanese maple, 3 Redbuds, 2 Dogwoods, 2 Columnar Blue Spruce, Stella Dora day lilies, 16 China holly, 15 Dwarf Mountain laurels, and 5 Scabiosas. None of these trees and shrubs were planted, per the approved plan. Currently, the 16 Hornbeams, 3 Pin Oaks and 2 Bradford Pears remain on site. The pool that was shown in the 2018 site plan, was not constructed.

The 9,000 square foot site is located on the north side of Stratford Drive, between North Forsyth Boulevard and North Brentwood Boulevard. The property has a zoning designation of R-2 Single Family Dwelling District and is located in the Clayton Gardens Urban Design District. The applicant is requesting to have the Architectural Review Board approve a revised landscape plan, in part, to maintain the 2 Bradford Pears in the rear yard. The new plan proposes also proposes 17 Emerald Green Arborvitaes, 2 Degroots Spires, 2 John Baldwin Boxwoods, 12 Green Velvet Boxwoods, and 2 Annabelle Hydrangeas.

Per the City’s landscape code, the proposed 17 Emerald Green arborvitaes are valued 250 square feet of tree canopy coverage which is equal to 4,250 of total canopy coverage, and the other proposed trees do not have any canopy coverage value. Within the R-2 District the minimum required canopy coverage is 46 percent with at least 33 percent being Missouri native. The site is 9,000 square feet, which requires 4,140 square feet of canopy coverage, so this criterion is met with the revised plan. However, the Missouri native requirement of 33 percent has not been met.

On September 17, 2019, the contractors landscape architect remarked the 3 Bradford Pears are in poor condition and as result the one located in the side yard was removed.

Bradford Pears have not typically not been permitted to remain or be replanted in the new landscapes. Although not expressly prohibited in the City’s Landscape Ordinance the Bradford Pear cross pollinates, and the hybrid offspring becomes invasive, causing harm to neighboring properties. They are known as a weak-wood, smelly, thorny nuisance that cause damage in treacherous weather.

Staff is of the opinion that the project as proposed is not conformance with the requirements of Article XXX Trees and Landscaping Regulations.

STAFF RECOMMENDATION IS TO APPROVE WITH THE FOLLOWING CONDITIONS TO BE REVIEWED BY STAFF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:

1. THE APPLICANT SHALL REMOVE THE TWO BRADFORD PEARS AND PLANT THE RED MAPLE IN THE NORTHWEST CORNER OF THE PROPERTY.

2. THE APPLICANT SHALL PLANT TREES THAT ARE LISTED AS MISSOURI NATIVE AND SHALL MEET THE 33 PERCENT NATIVE REQUIREMENT.
 3. THE APPLICANT SHALL PLANT 5 SHRUBS SIMILAR TO THE DRAGON LADY HOLLIES IN ORDER TO SHIELD THE TRASH ENCLOSURE.
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LEIGH SZILAGYI (LS) – HOMEOWNER

TODD SZILAGYI (TS) – HOMEOWNER

LS – Addresses the Board to request to keep two trees. Explains that since they are no longer doing a pool, there isn't a need to remove the trees and therefore they would like to keep them.

Chairman Lichtenfeld – I don't see a reason they need to be removed if they are healthy and you are no longer doing the pool.

Carolyn Gaidis – Notes that these trees are very invasive and need to be removed. The fact that they are healthy means they will flower and spread easier than if they were in poor condition. Explains that even though they are in the Szilagyi's yard that they have detrimental impacts to surrounding areas because of how seeds are spread via animals, wind, etc. and that even though the physical trees are in their yard, they still cause issues in other places.

Robert Denlow – I don't see a reason they need to be removed right now.

George Hettich – I lived at this address previously in a home that was demolished and they will be pruned away by Ameren.

David Gipson – Agrees with the City, they should be removed.

Helen DiFate – I agree with Carolyn, they are very invasive and hard to get rid of. They should be removed per the City's recommendation.

CAROLYN GAIDIS – MOTION TO APPROVE WITH STAFF RECOMMENDATIONS 1 AND 2 BUT REMOVE THE THIRD.

RICHARD LINTZ – SECOND.

ROBERT DENLOW AND CHAIRMAN LICHTENFELD – NAY.

ALL OTHERS AYE.

BOARD VOTES TO APPROVE WITH STAFF RECOMMENDATIONS ONE (1) AND TWO (2). 5-2

125 HUNTER AVENUE– PLAN COMMISSION – CONDITIONAL USE PERMIT

Director Susan M. Istenes summarizes the following staff report: "The subject property is located on the west side and at the end of Hunter Avenue. The property has a zoning designation of S-1 Service District. The auto repair and paint shop building measures 13,195 square feet. The property consists of a commercial style building with interior garage bays and an exterior parking lot which is presently fenced on 3 sides with vinyl. The property is currently operating an auto body repair and body shop. In 2012, the Board of Aldermen approved a Conditional

Use Permit for Team 1 Autobody to operate an auto repair shop at the subject property. In 2015, the Board of Aldermen approved a Conditional Use Permit for Abra Auto Body & Glass. Today, the Abra Auto Body & Glass merged with Caliber Collision Centers. These Conditional Use Permits were non-transferable.

The auto body and paint shop are currently open six days a week from 7:30 a.m. to 5:30 p.m., Monday through Friday and 9:00 a.m. to 12:00 p.m., Saturday. This auto body repair and paint shop is the same as the existing auto body repair and paint shop. Auto repair technicians are responsible for removing dents in vehicles, straightening bent car parts and replacing parts that are beyond repair due to accidents, collisions, vandalism or wear. They also refinish car bodies and replace glass components. Auto technicians also do some welding and realignment of the frame, and sometimes they are required to straighten out a bent frame on a car, truck or other vehicle. Additionally, vehicles and parts will be re-painted.

Trash is stored in existing containers located at the southern corner of the property.

Conditional uses are those types of uses that are considered to be desirable, necessary or convenient to the community but which by their nature can create additional traffic volume, parking demand beyond the development's capacity, and/or a detrimental impact on adjacent or neighboring properties due to noise, pollutants, or other characteristics associated with that particular use. Auto repair shops are allowed to perform heavy automobile maintenance activities such as engine overhauls in the S-1 District. The applicant does not propose this activity but does propose to maintain the auto body repair and paint shop. Auto body repair and paint shops are permitted in this zoning district subject to approval of a conditional use permit as per Article VII of this Chapter and the following criteria:

- 1) *The proposed use is compatible with surrounding uses and with the surrounding neighborhood;*
 - >> The surrounding land uses include Interstate 170 to the west; a 2-story office building to the north; and the Hunter Avenue right-of-way and landscaped open areas associated with a 4-story office building to the south and east.
- 2) *The comparative size, floor area and mass of the proposed use and/or proposed structure are appropriate and reasonable in relation to adjacent structures and buildings on surrounding properties and in the surrounding neighborhood;*
 - >> The building was constructed in 1964 and has historically been used by auto-oriented businesses. The building is smaller than the adjacent office buildings.
- 3) *The proposed use will not adversely affect the general appearance of the neighborhood due to the location of the proposed use on the parcel of ground or due to the materials used in the construction of any proposed buildings being greatly dissimilar to surrounding appearances of buildings or due to the architecture of any proposed building being of such nature as to create visual disharmony within the neighborhood;*
 - >> No exterior alterations are being proposed at this time. Changes to the building's appearance are not proposed.
- 4) *The proposed use will not adversely affect the neighborhood in terms of water runoff, noise transfer or heat generation due to significant amount of hard surfaced areas for buildings, sidewalk, drives, parking and service areas;*
 - >> There will not be an increase in hard surfaces on site. At this time, staff does not anticipate adverse effects concerning water runoff, noise transfer or heat generation.

- 5) *The frequency and duration of various indoor and outdoor activities and special events associated with the proposed use will not have a deleterious impact on the surrounding area;*
>> The proposed hours of operation are Monday through Friday, 7:30 AM to 5:30 PM and Saturday 9:00 AM to 12:00 PM. A stipulation of the Conditional Use Permit is that all work performed on vehicles must occur within an enclosed building. Staff is of the opinion that hours of operation are consistent with other adjacent uses, and that the frequency and duration of onsite activities will not have a deleterious impact on the surrounding area.
- 6) *The proposed use is likely to remain in existence for a reasonable length of time and not become vacant or unused and whether such use involves the presence of unusual, single-purpose structures or components of a temporary nature;*
>> The building was constructed in 1964 and has historically been used as auto-oriented businesses. Staff anticipates the uses will remain for a reasonable length of time.
- 7) *The proposed use complies with the standards of the Zoning Code and good planning practices;*
>> Staff is of the opinion that the use complies with the Zoning Code and good planning practices.
- 8) *The landscape plan for premises to be occupied by the proposed use is adequate in regard to the creation and maintenance of landscaped areas and the use of buffers for screening of the use;*
>> The 2015 Conditional Use Permit required the removal of a chain-link fence and the installation of a landscape buffer of evergreen plantings. Today, the landscape buffer is installed and the chain-link fence has been removed.
- 9) *The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety and accessibility of emergency vehicles and equipment;*
>> This building has been historically been used as an automobile-oriented business. Therefore, staff does not anticipate any significant generation of additional trips by the proposed use or adverse effects on traffic flow and public safety.
- 10) *The proposed use complies with the parking requirements as set forth in the Zoning Code and does not add parking demand that cannot adequately be handled by on-site off-street parking;*
>> Commercial buildings must provide one parking space for each 300 square feet of gross floor area. Based on the size of the building, 44 parking spaces are required, and 56 are available on site.
- 11) *The number of transit movements on abutting streets and on minor streets in the neighborhood to be generated by or associated with the proposed use will not cause significant increases in hourly or daily traffic levels;*
>> The proposed use is not likely to affect transit movements.
- 12) *The proposed use will not significantly increase demands on fire and Police protection services in excess of the individual demands of adjacent land uses and whether the proposed use will not present any real or potential fire or public safety hazard;*
>> Staff is of the opinion that there will not be a significant increase in demand for fire and police protection services.
- 13) *Added noise levels generated by activities associated with the proposed use will not adversely impact the ambient noise level of the surrounding area and neighborhood;*

- >> The activities associated with the proposed use may generate added noise levels; however, staff is of the opinion that the proposed use will not adversely affect the ambient noise level of the surrounding area.

14) The activities associated with the proposed use will not generate obnoxious odors to the detriment of the surrounding area;

- >> The activities associated with the proposed use can be odor producing; however, staff is of the opinion that the proposed use will not generate obnoxious odors to the detriment of the surrounding area.

15) The intensity, duration or frequency of lighting associated with the proposed use will not adversely impact adjacent properties or significantly increase the ambient level of night light in the neighborhood;

- >> Existing lights are located on the south and west sides of the building and are directed away from adjacent buildings. New lighting is not proposed as part of this project.

16) Where a proposed use has the potential for adverse impacts, sufficient measures have been or will be taken by the applicant that would negate, to an acceptable level, such potentially adverse impacts. (Ord. No. 5814 §1(9.9), 4-27-04)

- >> Staff is of the opinion that the surrounding properties could be moderately impacted by the proposed use, specifically the building to the north. The operational characteristics of the use as proposed by the applicant can be noisy, visually unattractive, waste producing and odor producing. These impacts are somewhat mitigated by the configuration of the building on the subject property and the existing landscape buffering between the two properties. The garage bays, where most of the noise producing activity will take place, are located in the center of the building, thus providing a buffer between the location of the noise producing activity and the office building to the north. Furthermore, both buildings are located directly adjacent to Interstate 170, so there is a large amount of noise generated by passing traffic that could help offset some of the noise produced by the automobile repair shop. Finally, the storage/parking area is located at the south end of the property and is screened by an opaque fence and the existing building, therefore limiting its visibility to the public.

Staff is of the opinion that the operating auto body repair and paint shop meets the requirements contained in the regulations governing conditional uses and this use is compatible with surrounding uses and that potential impacts on adjacent properties will be adequately mitigated.

STAFF RECOMMENDATION IS TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT TO THE BOARD OF ALDERMEN WITH THE FOLLOWING CONDITIONS:

1. BUSINESS HOURS OF OPERATION SHALL BE LIMITED TO MONDAY THROUGH FRIDAY, 7:30 AM TO 5:30 PM AND SATURDAY 9:00 AM TO 12: 00 PM.
2. ALL WORK PERFORMED ON VEHICLES MUST OCCUR WITHIN AN ENCLOSED BUILDING.
3. ANY VEHICLES WITH BODY DAMAGE, VEHICLES THAT ARE WRECKED OR HAVE MISSING PARTS SHALL BE STORED INDOORS OR WITHIN THE FENCE AND GATED PARKING LOT IN A LOCATION THAT IS COMPLETELY.
4. ALL VEHICLE PARTS SHALL BE STORED INDOORS AT ALL TIMES.
5. ALL VEHICLES AWAITING REPAIR SHALL BE STORED EITHER IN THE ON-SITE DESIGNATED PARKING LOT, INSIDE THE GARAGE, OR OFF SITE. NO VEHICLES MAY BE PARKED ON THE STREET.
6. NO VEHICLES SHALL REMAIN ON SITE FOR MORE THAN 30 DAYS.
7. THE STORAGE AND DISPOSAL OF ALL WASTE PRODUCTS GENERATED ON SITE SHALL CONFORM TO ALL APPLICABLE FEDERAL, STATE, AND CITY REGULATIONS.
8. DUMPSTERS SHALL BE PROPERLY SCREENED.

9. THIS CONDITIONAL USE IS NOT TRANSFERABLE.

ALLISON MATHERN (AM) – CALIBER COLLISION CENTERS REPRESENTATIVE

AM – Addresses the Board to answer questions and explain the project. Agrees to the staff recommendations and notes that the business and its nature is not changing at all.

Richard Lintz – Asks that someone speak to the business to make sure they are using the gates to screen the trash and that they aren't left open.

CAROLYN GAIDIS – MOTION TO APPROVE WITH STAFF RECOMMENDATIONS.

RICHARD LINTZ – SECOND.

BOARD UNANIMOUSLY VOTES TO APPROVE. 7-0

114, 124, AND 134 GAY AVENUE – PLAN COMMISSION – LOT CONSOLIDATION

Director Susan M. Istenes summarizes the following staff report: “The subject site is currently comprised of 4 lots totaling 29,847 square feet in area and is located on the east side of Gay Avenue. The properties have a zoning designation of R-4 Low Density Multi-Family Dwelling District and are located in the Clayton Gardens Urban Design District.

The applicant proposes to consolidate the 4 lots into 2 lots; Lot A will be 14,959 square feet in area and Lot B will be 14,888 square feet in area. The 2 lots will be improved with an already approved 10-unit townhome development with an underground parking garage. A cross-access easement is proposed to allow shared access in and out of the underground garage, and another easement for the maintenance of retaining walls. The minimum lot width in the R-4 district for Townhomes is 20 feet per unit. Each lot will be developed with 5 townhome units, therefore a minimum of 100 feet of lot width per lot, is required. Lot A will have a width of 127 feet and Lot B will have a width of 128 feet, thus the minimum lot width requirements will be met. The zoning regulations also require 1,974 square feet of minimum lot area for each townhouse unit in the R-4 District, for a total of 9,870 square feet. This development has +/- 2,800 square feet per unit, therefore the minimum lot area requirement is met. In conclusion, the proposed consolidated lots conform to the minimum lot width and area requirements of the R-4 Zoning District.

In considering and acting upon plats and other applicable plans, staff and the Plan Commission shall take the following objectives into consideration:

1. Compatibility of lot size and density;
2. Creation of a lot which provides adequate dimensions to construct improvements of similar size and nature to the surrounding area;
3. Creation of a lot which is in compliance with the area and frontage requirements (no flag lots) as specified in the Zoning Ordinance and provides for an orderly pattern of development;
4. Promotion of a creative approach to the use of land and related physical facilities resulting in better site layout and development;
5. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features and the prevention of soil erosion;

6. Elimination of incompatible land configurations;
7. Consistency with good planning practices;
8. Compliance with all applicable codes, ordinances and standards.

Staff is of the opinion that the lots are consistent with the lots located in the immediate area with regard to size, frontage and arrangement and the proposed consolidated lots conform to the minimum lot width and area requirements of the R-4 Zoning District.

STAFF RECOMMENDATION IS TO APPROVE WITH THE FOLLOWING CONDITIONS TO BE REVIEWED BY STAFF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:

1. THAT THE APPLICANT PROVIDE A MYLAR FOR THE APPROPRIATE CITY OF CLAYTON SIGNATURES PER THE SUBDIVISION ORDINANCE REQUIREMENTS AFTER BOARD OF ALDERMEN APPROVAL.
 2. THAT THE APPLICANT FILES THE PLAT WITH THE ST. LOUIS COUNTY RECORDER OF DEEDS OFFICE AND SUBMIT PROOF OF FILING TO THE CITY WITHIN 30 DAYS OF BOARD OF ALDERMEN APPROVAL.
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RYAN MEEKS (RM) – THD DESIGN GROUP
GABE DUBIOS (GB) – THD DESIGN GROUP

RM – Addresses the Board but has nothing to add to the staff report.

CAROLYN GAIDIS – MOTION TO APPROVE WITH STAFF RECOMMENDATIONS.

RICHARD LINTZ – SECOND.

BOARD UNANIMOUSLY VOTES TO APPROVE. 7-0

7715 COUNTRY CLUB COURT – ARCHITECTURAL REVIEW BOARD – EXTERIOR ALTERATION/RENOVATION

Director Susan M. Istenes summarizes the following staff report: “The subject property is located on the north side of Country Club Court. The property has a zoning designation of R-2 Single Family Dwelling District. The project consists of the installation of a tiered system of modular block retaining walls in the front yard, and landscaping. A series of 6 retaining walls located on both sides of the walkway in the front yard, were constructed in October 2019. The walls run east-west and vary in length from 4 feet to 14 feet and, according to the applicant, are less than 2 feet in height. The two walls that straddle the base of the steps leading to the front porch are not shown on the applicant’s drawing as “new,” however, a 2014 photograph (see attached) does not show the now existing retaining walls at the base of the steps. This wall is also presumed to be new and appears to be approximately 2 and ½ feet in height. The installation of the retaining walls in the front yard was completed without the prior approval of the Architectural Review Board. The applicant claims the contractor he hired was supposed to obtain all necessary approvals from the City of Clayton before work commenced.

Section 405.1900 of the Zoning Regulations states:

Front yard masonry garden walls, planting boxes, retaining walls, plantings or ornamental or decorative fences may be erected as part of new construction, up to four (4) feet above the grade level in the front yard, provided such structure is an integral part of the architectural feature of the principal structure, is in compliance with sight distance standards and is approved by the Architectural Review Board.

The Architectural Review Board prefers the use of masonry walls in front yards; however, modular block walls are allowed if they include three different block sizes, a varying color pattern and tumbled edges. The design and material of the retaining walls feature a single color (grey) and a single block size; the edges of the blocks are tumbled. The retaining wall closest to the street abuts the sidewalk. Most homes in this neighborhood do not have block walls in the front yards and the homes are largely constructed of red or brown brick.

In the recent past, the Architectural Review Board has required retaining walls located adjacent to a sidewalk to be setback from the sidewalk in order to provide a 2 to 3-foot-wide green area in front of the wall to soften its appearance from the street and to minimize conflicts with pedestrians. Although this wall is adjacent to the sidewalk without the preferred buffer, the street is a dead end, therefore the sidewalk primarily serves the residents of Country Club Court, thus mitigating the impact to a smaller number of pedestrians.

Although the light grey color does not match the heavy use of dark red and brown brick in the neighborhood, the lightness of the color has a muting effect on the appearance of the walls and the single sized blocks, thus the color and the minimal height of the walls, along with the landscaping, mitigates the impact of the single block size.

Finally, the appearance of the retaining walls is significantly diminished by the architecture of the home and most of the surrounding homes, because they sit up on a hill above the street and have very heavy and prominent front porches with porticos. The porches and porticos commonly extend the entire length of the front of the houses. Many of the porticos are supported with columns that are large and heavy in appearance. The portico walls utilize dark colored brick and many of the homes in the neighborhood have clay tile roofs, also contributing to a very “heavy” appearance.

STAFF RECOMMENDATION IS TO APPROVE AS SUBMITTED.”

DANIEL KLAUBER (DK) – HOMEOWNER

DK – Addresses Board but has nothing to add to the staff report. Thanks them for their time.

CAROLYN GAIDIS – MOTION TO APPROVE AS SUBMITTED

RICHARD LINTZ – SECOND.

BOARD UNANIMOUSLY VOTES TO APPROVE. 7-0

8011 MARYLAND AVENUE – PLAN COMMISSION – CONDITIONAL USE PERMIT

Director Susan M. Istenes summarizes the following staff report: “This is a request for a Conditional Use Permit for the operation of a health club formerly known as SWEAT. On September 23, 2005 a Conditional Use Permit was issued to SWEAT LLC located on the same property, for use as a health club/personal training facility. A change of ownership and business name change necessitates consideration of a new conditional use permit. The subject property is located approximately 50 feet west of the northwest corner of Maryland Avenue and N Meramec Avenue, on the north side of Maryland Avenue, adjacent to Crushed Red Restaurant. The property has a zoning designation of C-2 General Commercial District.

The total square footage of the building is 5,572. Based on the information provided in the application, approximately 2,800 square feet on the main (first) level of the building will be used for a fitness/training area and a

portion of the second floor will also be used for personal training. The proposed hours of operation are 6:00 a.m. to 8:00 p.m., Monday through Friday, and 9:00 a.m. to 11:00 a.m. on Saturday and Sunday for group classes and after 11:00 a.m., by appointment only. There are 8 parking spaces available on site, located at the rear of the building. There is also on-street parking available.

Conditional uses are those types of uses that are considered to be desirable, necessary or convenient to the community but which by their nature can create additional traffic volume, parking demand beyond the development's capacity, and/or a detrimental impact on adjacent or neighboring properties due to noise, pollutants or other characteristics associated with that particular use. Health clubs are permitted in this zoning district subject to approval of a conditional use permit as per Article VII of this Chapter and the following criteria:

1) The proposed use is compatible with surrounding uses and with the surrounding neighborhood;

>> Surrounding land uses include office, restaurant and residential. Formerly known as SWEAT, a health club has been operating on this site in a similar manner since 2005. The proposed health club is very similar in nature to the former health club. It is staff's opinion that the proposed use is compatible with the surrounding neighborhood.

2) The comparative size, floor area and mass of the proposed use and/or proposed structure are appropriate and reasonable in relation to adjacent structures and buildings on surrounding properties and in the surrounding neighborhood;

>> The building is two stories and the total tenant space is 5,572 square feet, which is comparable to smaller health clubs and personal training facilities. The business includes classes, personal training, nutrition counseling and massage therapy. The first floor of the building will be used for group classes and personal training; the second floor will also be used for personal training, nutritional counseling, massage therapy, chiropractic and office space. Staff believes that the proposed floor area is appropriate and reasonable in relation to surrounding development.

3) The proposed use will not adversely affect the general appearance of the neighborhood due to the location of the proposed use on the parcel of ground or due to the materials used in the construction of any proposed buildings being greatly dissimilar to surrounding appearances of buildings or due to the architecture of any proposed building being of such nature as to create visual disharmony within the neighborhood;

>> Performance Labs is not proposing any changes to the exterior of the building.

4) The proposed use will not adversely affect the neighborhood in terms of water runoff, noise transfer or heat generation due to significant amount of hard surfaced areas for buildings, sidewalk, drives, parking and service areas;

>> The proposed use will function inside of the building. Staff does not believe the proposed use will adversely affect the neighborhood in terms of water runoff, noise transfer or heat generation.

5) The frequency and duration of various indoor and outdoor activities and special events associated with the proposed use will not have a deleterious impact on the surrounding area;

>> Training activities will take place indoors during normal business hours consistent with other nearby businesses. Outdoor activities are not proposed at this time.

6) *The proposed use is likely to remain in existence for a reasonable length of time and not become vacant or unused and whether such use involves the presence of unusual, single-purpose structures or components of a temporary nature;*

>> The proposed use does not involve single-purpose structures or temporary components.

7) *The proposed use complies with the standards of the Zoning Code and good planning practices;*

>> Staff is of the opinion that the use complies with the Zoning Code.

8) *The landscape plan for premises to be occupied by the proposed use is adequate in regard to the creation and maintenance of landscaped areas and the use of buffers for screening of the use;*

>> There is no proposed landscape plan. There is a small, elevated brick planter in front of the building. It's currently planted with an overgrown boxwood and two smaller, indistinguishable plants that look to be in poor condition.

9) *The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety and accessibility of emergency vehicles and equipment;*

>> A traffic impact study is not required. The proposed use will operate in a similar manner to the former business, and therefore staff does not anticipate any negative impacts to traffic flow, pedestrian safety or accessibility of emergency vehicles.

10) *The proposed use complies with the parking requirements as set forth in the Zoning Code and does not add parking demand that cannot adequately be handled by on-site off-street parking;*

>> The applicant is required to provide off-street parking at 1 space for each 300 square feet of gross floor area for a total of 19 spaces. There are 8 parking spaces available on site and there is on-street parking in front of the business along Maryland Avenue. The site is legally non-conforming with respect to the number of parking spaces. Because the proposed use is the same, no additional parking is required.

11) *The number of transit movements on abutting streets and on minor streets in the neighborhood to be generated by or associated with the proposed use will not cause significant increases in hourly or daily traffic levels;*

>> The proposed use is not likely to affect transit movements.

12) *The proposed use will not significantly increase demands on fire and Police protection services in excess of the individual demands of adjacent land uses and whether the proposed use will not present any real or potential fire or public safety hazard;*

>> Staff does not anticipate an increase in demand for fire and police protection services.

13) *Added noise levels generated by activities associated with the proposed use will not adversely impact the ambient noise level of the surrounding area and neighborhood;*

>> Staff does not believe that the noise associated with this use will be disruptive to the surrounding businesses or residents. Staff is recommending a condition of approval which precludes holding organized classes or individual training outside of the building.

14) The activities associated with the proposed use will not generate obnoxious odors to the detriment of the surrounding area;

>> Staff does not anticipate that the use will generate obnoxious odors.

15) The intensity, duration or frequency of lighting associated with the proposed use will not adversely impact adjacent properties or significantly increase the ambient level of night light in the neighborhood;

>> New exterior lighting is not proposed at this time.

16) Where a proposed use has the potential for adverse impacts, sufficient measures have been or will be taken by the applicant that would negate, to an acceptable level, such potentially adverse impacts.

>> At this time, there does not appear to be adverse impacts associated with the proposed use.

Staff is of the opinion that the proposed health and fitness club meets the requirements contained in the regulations governing conditional uses. The proposed use is compatible with surrounding uses. Staff does not believe that noise associated with this use will be disruptive to the surrounding properties and that the on-site and street parking will be sufficient to meet demand.

STAFF RECOMMENDATION IS TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT TO THE BOARD OF ALDERMEN WITH THE FOLLOWING CONDITIONS:

1. THE APPLICANT SHALL RE-STRIPE THE PARKING LOT AND SHALL MAINTAIN A MINIMUM OF 8 PARKING SPACES FOR THE LIFE OF THE BUSINESS.
 2. THE APPLICANT SHALL REMOVE THE PLANTINGS IN THE EXISTING PLANTER BOX AT THE FRONT OF THE BUILDING AND REPLACE THEM WITH SMALL EVERGREEN PLANTINGS AND ANNUALS OR PERENNIALS FOR SEASONAL COLOR.”
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DAVID LAZAROFF (DL) – OWNER

JIM GAU (JG) – ATTORNEY

DL and JG – Address Commission to answer questions but has nothing to add to the staff report.

Chairman Lichtenfeld – So this is just a name change and change of ownership?

DL – Correct, I am going to be doing it without my partner now.

Carolyn Gaidis – What is the address?

DL – 8009-8013 Maryland Avenue

Stephanie Karr – The motion should reflect all addresses.

CAROLYN GAIDIS – MOTION TO APPROVE WITH STAFF RECOMMENDATIONS AND THE ADDITION OF THE CITY’S ATTORNEY, STEPHANIE, TO SPECIFY THE ADDRESS AS 8009, 8011, AND 8013 MARYLAND AVENUE

RICHARD LINTZ – SECOND.

BOARD UNANIMOUSLY VOTES TO APPROVE. 7-0

105 CARONDELET PLAZA, TOWER C, ADDRESSED 7620 BY ST. LOUIS COUNTY – PLAN COMMISSION –
CONDITIONAL USE PERMIT

Director Susan M. Istenes summarizes the following staff report: “The subject property is located at the northeast corner of the intersection of Hanley Road and Carondelet Plaza in the Centene Centre Building C (new tower). The property has a zoning designation of Special Development District (SDD). The property contains a mixed-use (office/commercial) tower. The restaurant space will be located on two different levels in the building, in addition to an outdoor dining area in front of the restaurant’s entrance along Carondelet Plaza. In total, the restaurant area (including back of the house space) will be 7,890-square-feet and the restaurant will have approximately 158 seats (including the seasonal outdoor dining area).

The applicant describes the character of the restaurant as an elevated fine dining experience in three distinct areas:

- A. An indoor continental style table-cloth restaurant with a AAA Four Diamond Star service standard;
- B. An indoor business-casual dining venue with bar/lounge;
- C. An outdoor dining venue sharing the fine dining restaurant menu.

The restaurant will be open six days a week. The main restaurant will be open for dinner, Monday through Saturday, 5:30 p.m. to 10:00 p.m. The lounge area will keep the same hours as the main restaurant, but will include lunch hours, Monday through Friday, 11:15 a.m. to 2:30 p.m.; the outdoor dining area will be open seasonally serving dinner Monday through Saturday, 5:30 p.m. to 10:00 p.m. A liquor license will be required and delivery service from the restaurant is not proposed.

Deliveries to the restaurant will be made to loading dock C, on the east side of the tower which is accessed from the north-south alley off Carondelet Plaza. Trash will be stored in compactors located underneath the building on the east side of the tower. The applicant intends to participate in a recycling program.

Parking will be valet only. The pickup and drop off area for patrons will be in front of the Carondelet Plaza building entrance, in the circle drive. According to the applicant, for patrons that need more time to disembark from their vehicles, there is enough space in the circle drive to allow vehicles to bypass parked vehicles, the intent being to minimize vehicular queuing in the circle drive. Parking by valet will occur in the West garage and the Crescent garage (across the alley) in the existing retail spaces which are vacant in the evening.

Conditional uses are those types of uses that are considered to be desirable, necessary or convenient to the community but which by their nature can create additional traffic volume, parking demand beyond the development's capacity, and/or a detrimental impact on adjacent or neighboring properties due to noise, pollutants or other characteristics associated with that particular use. Restaurants are permitted in this zoning district subject to approval of a conditional use permit as per Article VII of this Chapter and the following criteria:

1) *The proposed use is compatible with surrounding uses and with the surrounding neighborhood;*

- >> The surrounding land uses include multi-family residential, office, health club, bank, restaurants and doctors’ offices. The proposed use appears to be compatible with surrounding uses.

- 2) *The comparative size, floor area and mass of the proposed use and/or proposed structure are appropriate and reasonable in relation to adjacent structures and buildings on surrounding properties and in the surrounding neighborhood;*
 - >> The proposed size of the restaurant is 7,890-square-feet, with 158 seats which is comparable to larger restaurants in the area such as Capital Grille (250 seats) and 801 Chophouse (420 seats). The restaurant will be housed within an existing office tower; therefore, no new structures are proposed. The proposed restaurant is appropriate and reasonable in relation to the surrounding area.
- 3) *The proposed use will not adversely affect the general appearance of the neighborhood due to the location of the proposed use on the parcel of ground or due to the materials used in the construction of any proposed buildings being greatly dissimilar to surrounding appearances of buildings or due to the architecture of any proposed building being of such nature as to create visual disharmony within the neighborhood;*
 - >> The applicant is not proposing changes to the exterior as part of this Conditional Use Permit application.
- 4) *The proposed use will not adversely affect the neighborhood in terms of water runoff, noise transfer or heat generation due to significant amount of hard surfaced areas for buildings, sidewalk, drives, parking and service areas;*
 - >> Staff does not anticipate adverse effects with respect to water runoff, noise transfer or heat generation.
- 5) *The frequency and duration of various indoor and outdoor activities and special events associated with the proposed use will not have a deleterious impact on the surrounding area;*
 - >> The applicant is proposing outdoor dining. Outdoor dining is common for restaurants in the downtown area and staff does not anticipate adverse impacts. The outdoor dining area will operate in the evenings during the same hours as the main restaurant. The applicant will need to obtain an Outdoor Dining Permit prior to operating.
- 6) *The proposed use is likely to remain in existence for a reasonable length of time and not become vacant or unused and whether such use involves the presence of unusual, single-purpose structures or components of a temporary nature;*
 - >> The proposed use does not involve single-purpose structures or temporary components.
- 7) *The proposed use complies with the standards of the Zoning Code and good planning practices;*
 - >> Staff is of the opinion that the use complies with the Zoning Code.
- 8) *The landscape plan for premises to be occupied by the proposed use is adequate in regard to the creation and maintenance of landscaped areas and the use of buffers for screening of the use;*
 - >> Landscaping was previously approved as part of the consideration and design of the Subdistrict 1 (SD1) plan and was determined to be adequate at that time.
- 9) *The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety and accessibility of emergency vehicles and equipment;*
 - >> Existing site access is adequate and there are no proposed changes.
- 10) *The proposed use complies with the parking requirements as set forth in the Zoning Code and does not add parking demand that cannot adequately be handled by on-site off-street parking;*

- >> Because the restaurant is greater than 3,000-square-feet, off-street parking for patrons must be provided at a rate of 3 parking spaces for every 5 seats on a pro-rated percentage for the square footage in excess of 3,000-square-feet. Based on the 7,890-square-foot restaurant with 158 seats, 98 parking spaces must be provided. The Centene Campus project was approved with enough parking for all of the retail/restaurant space identified in the Subdistrict Master Plan.
- >> It is staff's opinion that existing parking provided in the area is enough to support the demand of the restaurant.

11) The number of transit movements on abutting streets and on minor streets in the neighborhood to be generated by or associated with the proposed use will not cause significant increases in hourly or daily traffic levels;

- >> The proposed use is not likely to affect transit movements.

12) The proposed use will not significantly increase demands on fire and Police protection services in excess of the individual demands of adjacent land uses and whether the proposed use will not present any real or potential fire or public safety hazard;

- >> Staff is of the opinion that there will not be a significant increase in demand for fire and police protection services.

13) Added noise levels generated by activities associated with the proposed use will not adversely impact the ambient noise level of the surrounding area and neighborhood;

- >> A minimal amount of noise will be created by the addition of an outdoor dining area. Depending on the time of day, that noise could be mitigated by the noise associated with vehicular traffic on Hanley Road.

14) The activities associated with the proposed use will not generate obnoxious odors to the detriment of the surrounding area;

- >> Staff does not anticipate that the restaurant will generate obnoxious odors.

15) The intensity, duration or frequency of lighting associated with the proposed use will not adversely impact adjacent properties or significantly increase the ambient level of night light in the neighborhood;

- >> No additional exterior lighting is proposed at this time.

16) Where a proposed use has the potential for adverse impacts, sufficient measures have been or will be taken by the applicant that would negate, to an acceptable level, such potentially adverse impacts. (Ord. No. 5814 §1(9.9), 4-27-04)

- >> At this time, there does not appear to be adverse impacts associated with the proposed use.

Staff is of the opinion that the proposed restaurant meets the requirements contained in the regulations governing conditional uses. The inclusion of a restaurant will add vitality to the corner of Hanley Road and Carondelet Plaza. The restaurant space is compatible in size to other restaurants and adequate parking will be available on site. The proposed hours of operation and method of deliveries are consistent with other restaurants in this area. Based on the information regarding the operation of the restaurant as provided by the applicant, staff is of the opinion that the proposed restaurant will be compatible with surrounding uses.

STAFF RECOMMENDATION IS TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT TO THE BOARD OF ALDERMEN WITH THE FOLLOWING CONDITIONS:

1. THE APPLICANT SHALL OBTAIN A LIQUOR LICENSE FROM THE CITY OF CLAYTON PRIOR TO SERVING ALCOHOL.

2. THE APPLICANT SHALL OBTAIN AN OUTDOOR DINING PERMIT PRIOR TO USING THE PROPOSED OUTDOOR DINING SPACE.
 3. THERE SHALL BE NO OUTDOOR MUSIC OR SPEAKERS TO AMPLIFY MUSIC OR SIMILAR AUDIO.
 4. ALL SIGNAGE SHALL COMPLY WITH THE APPROVED CENTENE SIGN DISTRICT PLAN.”
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TONY RAYA (TR) – HOK

PAUL BENTEL (PB)

TOBIAS RAFAEL (TRAF) – RAFCO

JAMES BOMMARITO (JB) – OWNER OF RESTAURANT

PB – Addresses Commission and goes over the project and what they are going.

TR – Addresses the concerns that Crescent residents brought up regarding valet and assures that there will be no parking in the alley and that there is plenty of space in the designated garage.

Chairman Lichtenfeld – The north-south alley is a no parking zone. So there would be no temporary parking allowed there.

TR – Understood.

Chairman Lichtenfeld – Where will the trash be stored and how will it be transported? Internally?

TRAF – Correct, all trash will be stored and removed from the site internally. Deliveries will also be internal from the bays off the alley.

Richard Lintz – Will there be people running in the alley for valet?

TRAF – No they will be internal as well.

JB – Thank you for your consideration of this project. I’m looking forward to bringing Tony’s to Clayton.

CAROLYN GAIDIS – MOTION TO APPROVE WITH STAFF RECOMMENDATIONS.

RICHARD LINTZ – SECOND.

BOARD UNANIMOUSLY VOTES TO APPROVE. 7-0

217 SOUTH BRENTWOOD BOULEVARD – ARCHITECTURAL REVIEW BOARD – NEW RECREATION FACILITY

Director Susan M. Istenes summarizes the following staff report: “At the Plan Commission/Architectural Review Board meeting of February 03, 2020, the Board approved the Site Plan for this project. On the February 18, 2020, Architectural Review Board meeting, the Board decided to have the applicant return with updated elevations and renderings showing the rooftop structure and canopy, and the redesign of the storefront windows of the main building. The applicant decided to return to the March 16, 2020 meeting with revised plans for this project and provided the necessary elevation plans to reflect most if not all the changes.

The 116,280 square-foot site is located in Shaw Park, just east of the intersection between South Brentwood Boulevard and Bonhomme Avenue and has an R-2 Single Family Dwelling zoning designation. The site is currently developed with an ice rink and associated building. Adjacent land uses include tennis courts and an outdoor pool. On November 18, 2019, the applicant brought this project before the Plan Commission/Architectural Review Board for a conceptual review.

The proposed project consists of the demolition of the existing ice rink and building and the construction of a new 13,365 square foot, 1-story All-Season Recreation Complex and an NHL-regulation size ice rink with a roof. The proposed building will be able to support space for both the proposed ice rink and its related uses such as: offices, party room, restrooms, locker rooms, kitchen, and warming area. The previous design of the building was to be constructed of brick veneer, silver metal panels and the windows were clear anodized thermal storefront style. Today the design of the building will be constructed of brick with a running pattern, white aluminum composite metal panels and the windows will be white anodized thermal storefront style with arches.

There is currently an existing drop-off circle located at the intersection of South Brentwood Boulevard and Bonhomme Avenue. The proposed new drop-off area will extend further south and will be widened along Brentwood Boulevard. The new drop-off area will serve the ice rink, tennis courts, and the pool. The extension and widening of the drop-off area will allow for ADA accessibility and will have a bypass lane and 4 drop off stalls that will enhance the usability and efficiency of the area.

The proposed design and building materials for the new multi-purpose facility will bring modern architecture to the southeast corner of Shaw Park. The existing ice rink building is a traditional style, primarily constructed of red brick with a gable roof and white painted pillars. The existing building is a similar style to the pool building directly north of the rink.

The primary building material for the proposed building will be constructed of red and brown bricks, and the secondary material will be metal panels. The material and color have changed from a silver wood plank panel system to a white aluminum composite metal panel system to match the ice rink canopy. The applicant had previously proposed a stacked brick pattern. Now, they propose to have a normal running brick bond pattern. The windows of the main building changed from clear anodized storefront styled thermal windows to white anodized storefront styled thermal windows with arches.

The previously proposed roof canopy over the ice rink were metal planks with a woodgrain finish that will look like wood planks. The amended material for the roof canopy is still a metal panel system, but an aluminum composite panel in lieu of planks. Previously, the applicant proposed the use of maple wood planks and at the corners there were noticeable seams, that would require trim pieces. Today, the applicant is proposing an aluminum composite metal panel system in a Scottish oak color. This aluminum composite panel material allows the panels to be fabricated and bent to eliminate seams and trims.

Per Section 405.1850 the maximum building height in the R-2 District is two stories or 30 feet above grade. The proposed building will be 20 feet in height, the HVAC equipment will be on the roof, screened with silver metal panels, and the total roof height will be +/- 25 feet. The Board requested to have round white columns to mimic some the existing buildings in Shaw Park. The applicant's representative studied the round column design and found that the round columns could be incorporated. The columns will stop short of the enclosed beams, creating a vertical component in order to create an architecture element. Therefore, there are 12 white structural columns that will be enclosed in white aluminum composite metal in a round enclosure approximately 3 feet in diameter, the steel columns and joist girders will be enclosed in aluminum composite metal panels above the column enclosures. The new design lowered the rooftop canopy to 4 feet 8 inches to make the overall total rooftop canopy 30 feet in height.

There are brick veneer retaining walls proposed to provide walkways, planter beds, and accommodate the elevation change from the proposed building to the ice rink. On the east elevation plan, the brick veneer wall is a proposed area for a future sign. Per

the Zoning Ordinance, one ground sign with a maximum area of twenty-five square feet is allowable. Currently, the size of the sign is unknown. Sign permits will be required and can be later attained through the Planning and Development Services Department. At the time of building permit application, the elevation and length of the retaining walls will be required to be submitted to staff for review.

There are three types of fencing proposed:

(1) A black aluminum 6-foot-tall fence will surround the ice rink and will be constructed next to the brick veneer retaining walls.

(2) A +/- 13 feet tall black chain-link fence is proposed to screen additional mechanical equipment required for a cooling tower system and is of an open air design in order to have circulation for the ice rink).

(3) A 42-inch black cable rail that will act as a safety barrier for the concrete bleachers located between the ice rink and the main building.

STAFF RECOMMENDATION IS TO APPROVE WITH THE FOLLOWING CONDITIONS TO BE REVIEWED BY STAFF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

1. THE APPLICANT SHALL SUBMIT UPDATED PLANS SHOWING THE LENGTHS OF THE RETAINING WALLS AT THE TIME OF OR PRIOR TO THE APPLICATION FOR A BUILDING PERMIT.

2. THE APPLICANT SHALL OBTAIN SIGN PERMITS FOR THE PROPOSED GROUND SIGN AND WALL SIGN PRIOR TO INSTALLATION.”

STEVE MUELLER (SM) – CHIODINI ARCHITECTS

LOU CHIODINI (LC) – CHIODINI ARCHITECTS

PATTY DEFORREST (PD) – DIRECTOR OF CLAYTON PARKS AND RECREATION

LC – Addresses the Board and notes the changes.

Chairman Lichtenfeld – Are the panels damaged easily and if so are they easy to replace?

SM – There is a number on the back of them so they will take that panel and order that number. It's easy to replace them.

Chairman Lichtenfeld – This is more contemporary, I like it.

Richard Lintz and Carolyn Gaidis – Ask about the landscape and think there is a missed opportunity.

SM – This rendering is not an accurate representation of the actual plan.

Robert Denlow – I love it. So much better than the QT look from before.

George Hettich – We are there.

Helen DiFate – Likes the new windows and the beam to columns connection. It is light and airy.

CAROLYN GAIDIS – MOTION TO APPROVE WITH STAFF RECOMMENDATIONS.

RICHARD LINTZ – SECOND.

BOARD UNANIMOUSLY VOTES TO APPROVE. 7-0

HAVING NO FURTHER BUSINESS BEFORE THE COMMISSION, THE MEETING WAS ADJOURNED AT 19:20.

Recording Secretary